



DOCKET FILE COPY ORIGINAL

July 31, 1997

The Honorable William F. Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

JUL 31 1997
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

Re: MM Docket No. 87-268
EX PARTE Communication

Dear Mr. Secretary:

We have been asked by the Commission's staff to clarify certain aspects of the proposal advanced by ALTV in its recent Petition for Reconsideration in the above-captioned proceeding. Therein, ALTV proposed that the Commission adopt a more flexible policy with respect to power increases for certain UHF DTV stations.

Specifically, ALTV urged the Commission to modify its criteria for showings that no additional interference to existing NTSC facilities would result from a proposed UHF DTV station power increase. The heart of ALTV's proposal is the use of the Commission's F(50, 50) curves for determining the strength of the interfering signal in lieu of the Commission's F(50,10) curves, which currently are utilized to predict the strength of the undesired or interfering signal. However, even showings using this less conservative method of predicting interference would remain subject to certain limitations to assure that any interference which actually might occur would be limited to fringe areas of the affected NTSC station's coverage area, as well as several basic public interest criteria.

As set forth at pages 12-13 of ALTV's Petition for Reconsideration, under ALTV's proposal, an applicant first would be required to submit a technical showing that at its proposed increased power, the UHF DTV facility would:

- Cause no new interference within any affected NTSC UHF station's predicted Grade A contour using the Commission's current method (i.e., F(50,10) curves) to predict interference.
- Cause no new interference to any UHF DTV station, again, using the Commission's current method to predict interference.

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- Cause no new interference within the "inner portion" of any affected NTSC UHF station's predicted Grade B coverage area using the Commission's current method to predict interference. The "inner portion" of the station's predicted Grade B coverage area would be, in effect, the inner area of the "doughnut" formed by the predicted Grade B contour and the predicted Grade A contour. The boundaries of this inner area of the "doughnut" would be the station's predicted Grade A contour and concentric points determined by bisecting the radii extending from the station's transmitter between the predicted Grade A contour and the predicted Grade B contour. This is illustrated in Attachment One to this letter.
- Cause no new interference within the "outer portion" of any affected NTSC UHF station's predicted Grade B contour using the Commission's F(50,50) curves in lieu of the F(50,10) curves to predict interference. The boundaries of this outer area of the "doughnut" would be the station's predicted Grade B contour and concentric points determined by bisecting the radii extending from the station's transmitter between the predicted Grade A contour and the predicted Grade B contour. This also is illustrated in Attachment One to this letter.

If the applicant satisfies these initial technical criteria, then its proposed power increase would be evaluated further under the following additional criteria (summarized at page 3 and described at pages 13-14 of ALTV's Petition for Reconsideration):

- An assessment of the cumulative effect of additional interference to the station (based on the current definition) that could result from power increases by other proximate co-channel, adjacent channel, and taboo channel stations;
- Whether the new interference area (based on the current definition) is located in the station's Designated Market Area ("DMA");
- Whether the geographic area in which the new interference occurs (based on the current definition) represents more than 5% of the area within the entire predicted Grade B coverage area (subsuming, of course, the station's predicted Grade A coverage area) of the station accepting interference;
- Whether the population in the geographic area in which the new interference occurs (based on the current definition) represents more than 5% of the population within the entire predicted Grade B coverage area of the station accepting interference; and

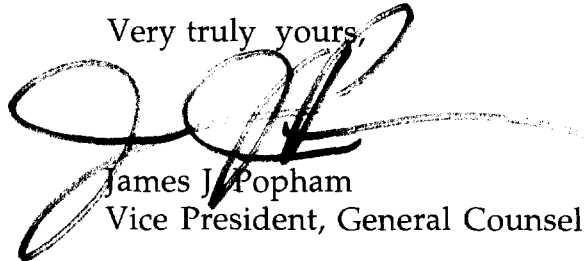
- Whether the proposed power increase is necessary to assure growth and development of DTV in the applicant's market.

If the applicant's showing satisfied the initial technical criteria and was satisfactory under the additional public interest criteria, then the application for increased power would be granted.

If the Commission has any questions about this matter, please, do not hesitate to contact us.

Pursuant to the Commission's rules, two copies of this letter are submitted.

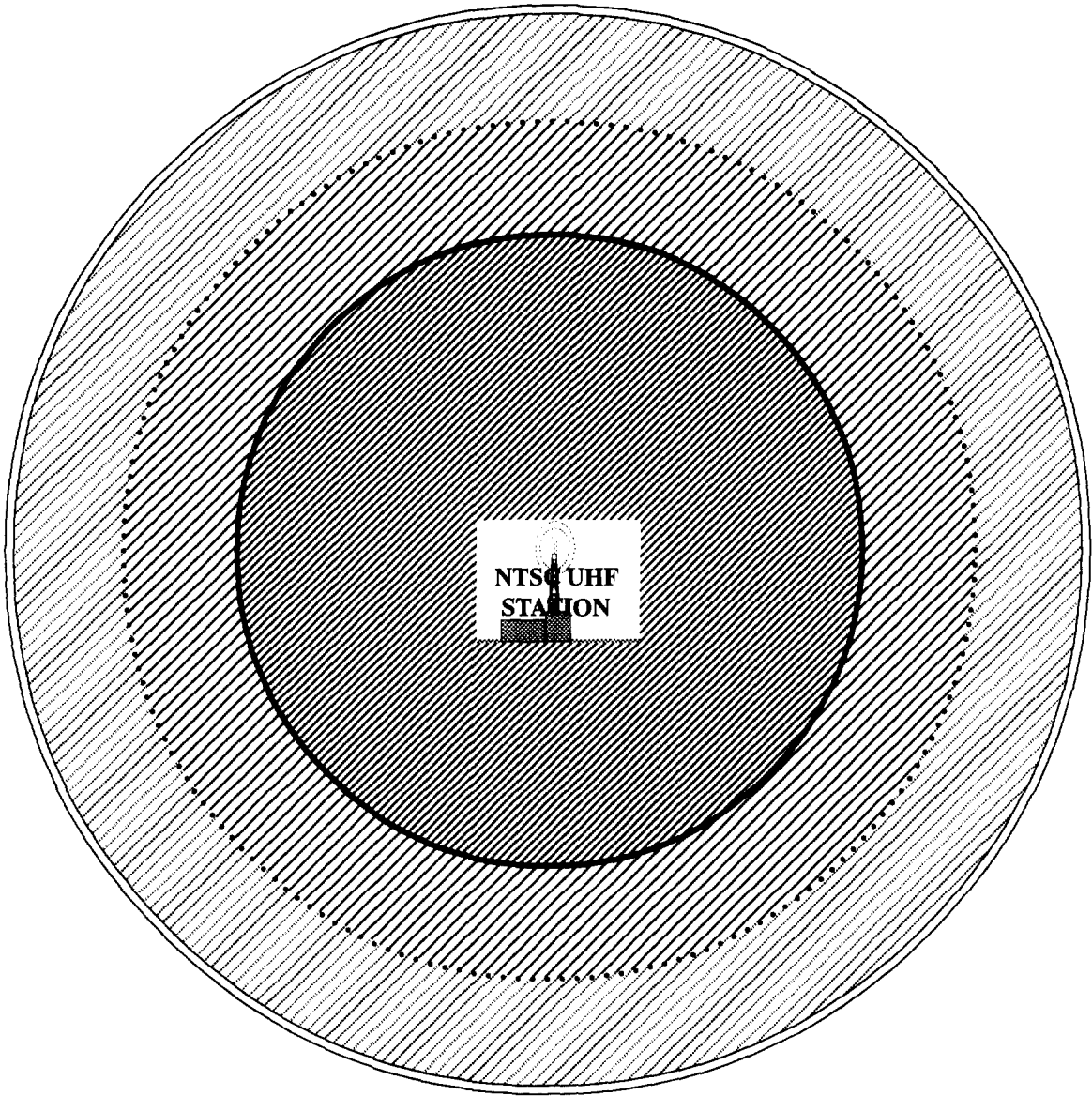
Very truly yours,



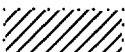

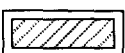

A handwritten signature in black ink, appearing to read 'JJP', with a long horizontal flourish extending to the right.

James J. Popham
Vice President, General Counsel

cc: Alan Stillwell

ATTACHMENT ONE



-  Coverage Area **GRADE A** Contour 
No New Interference
-  Area **GRADE B (Inner)** Boundary 
No New Interference
-  Coverage Area **GRADE B** Contour 
Outer Area Subject to New Interference